



**CALIFORNIA  
HIGH-SPEED RAIL  
AUTHORITY**

**BRIEFING: APRIL 8, 2010 BOARD MEETING AGENDA ITEM #10**

**TO: Chairman Pringle and Authority Board Members**

**FROM: Carrie Pourvahidi**

**DATE: March 30, 2010**

**RE: Alternatives Analysis Process**

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**Alternative Analysis Process for HST Environmental Impact Reports**

The attached outline from the Attorney General's (AG's) office addresses (1) the background and legal context for the Authority's project-level environmental review process, (2) requirements for identifying alternatives to be studied in EIRs, and (3) the Authority's Alternative Analysis (AA) process with options available to the Board to provide input to the AA process.

The Authority and the Federal Railroad Administration (FRA) are working together to prepare joint EIR/EIS documents in order to meet both CEQA and NEPA requirements expeditiously, pursuant to a Memorandum of Understanding. The AA process, as a preliminary part of the preparation of HST project EIR/EISs, provides early coordination opportunities with regulatory agencies and provides for public input beyond the express requirements of CEQA and NEPA. The alternatives, however, may change after an AA report, such as in a draft EIR or Final EIR, and the EIR/EIS is not final until the EIR is certified by the Authority and the FRA issues a Record of Decision for the EIS.

The Board has the flexibility to engage in the AA process to a greater or lesser degree as it sees fit. In determining its level of involvement, the Board should consider a variety of factors, including timing and schedule for the EIR/EIS documents. The only thing that the law requires of the Board is that it certify the EIRs and make decisions at the end of the environmental process. The law does not restrict the Board, however, from being involved in as much or as little as it wants in the environmental review process. It is up to the Board to strike what it considers the proper balance between how much control over the process it will retain and how much it will choose to delegate to its chief executive officer. The balance that is struck will be a matter of management and policy judgment with consequences in terms of costs and the length of the environmental review process, rather than a matter of legal requirements.

## Staff Recommendation

Based upon the attached outline provided by the AG's office and input received from the board at previous board and committee meetings, staff recommends the following steps be adopted by the board for the AA process. These recommended steps involve the board throughout the AA process and give the board the opportunity to take action at the key points of the process. Authority staff will work with FRA staff throughout the AA process.

1. Initial Development of Alternatives for an HST Project EIR/EIS

The alternative alignments and station location sites considered at this initial stage of the AA process include: (1) alternatives selected in the Statewide Program Level EIR/EIS; (2) alternatives suggested by the agencies, stakeholders, and public during the environmental scoping process; and (3) alternatives suggested by the Regional Consultants that meet project objectives and avoid or reduce significant environmental impacts.

2. USEPA/Corps Staff Briefing

The initial alternatives to be considered for further study and those potentially not to be considered further, are discussed with the USEPA and Corps as part of the 404 NEPA Integration process for their comment and feedback.

3. Board Briefing of Initial Alternatives

The initial alternative alignments, station locations, and design options considered and recommended to be carried forward for initial review during the AA process are presented to the Board at a noticed public meeting as an action item.

4. Agency/Technical Working Groups/Public Briefings

The initial alternatives considered and the alternatives considered by the Board to be carried forward for initial review during the AA process are presented to the environmental resource agencies, Caltrans, local planning and transportation agencies, and the public for comment and feedback.

5. Technical Studies

Preliminary engineering, environmental, and right-of-way studies for the alternatives for the AA process are developed.

6. USEPA/Corps Staff Briefing

A summary of the alternatives to be recommended for study in the Draft EIR/EIS is presented to the USEPA and Corps as part of the 404 NEPA Integration process for their comment and feedback.

7. Preparation of the Preliminary AA Report

The results of the AA process, Steps 1 through 6 above are presented in a written report which is posted on the Authority's website the morning it is being presented to the CHSRA Board.

8. Board Briefing of the Preliminary AA Report

The Preliminary AA Report describing alternative alignments, station locations, and design options recommended to be studied in the Draft EIR/EIS is presented to the Board at a noticed public meeting as an action item.

9. Agency/Technical Working Groups/Public Briefings

The alternatives identified by the Board for study in the Draft EIR/EIS are presented to the environmental resource agencies, Caltrans, local planning and transportation agencies, and the public for input and feedback.

10. Board Briefing on Revisions to AA Report

Any recommended changes to the alternative alignments, station locations, and design options in the Preliminary AA Report based on the feedback received from the board or the Agency/Technical Working Groups/Public briefings conducted in Step 10 will be presented the Board at a noticed public meeting as an action item.

11. Revised/Supplemental AA Report

Any changes to the alternatives considered/approved by the Board will be reflected in revisions to the Preliminary AA Report that will be posted to the Authority's website.

**Attachments:**

- ✓ Outline of Alternatives Analysis Process for HST Environmental Impact Reports